

To the Honorable Charles W. Parker, Justice of the Supreme Court of the State of New Jersey:

The petition of Henry B. Carpender, now a prisoner in the jail of the County of Somerset, in the custody of the keeper thereof, respectfully represents that he is now in confinement and detained in the said jail upon a charge of having premeditatedly, wilfully, feloniously, and of his malice aforethought killed and murdered one Elenor Mills on or about the fourteenth day of September, 1922, by virtue of a commitment under the hand and seal of Frank L. Cleary, Judge of the Court of Quarter Sessions of the County of Somerset, a copy of the said commitment being hereto annexed; and that petitioner is also now in confinement and detained in the said jail upon a further commitment under the hand and seal of Frank L. Cleary, Judge of the Court of Quarter Sessions of the County of Somerset, reciting the murders of Eleanor Mills and Edward Hall on the said fourteenth day of September, 1922, a copy of which is hereto annexed; that petitioner did not commit the offenses so charged against him and has no information as to who did; that said murders were investigated by the Somerset County Grand Jury in November, 1922, at which time petitioner offered to said grand jury in writing to appear before it and to waive immunity if called to appear; that petitioner was not called and that the said grand jury did not find any indictment, although Mrs. Jane Gibson, a witness at the recent inquiry conducted by Judge Cleary, appeared and testified before the said grand jury; that the testimony so recently given by the said Gibson before Judge Cleary, in so far as it concerns this petitioner, is in no respect true; that the proof given against this petitioner is not evident and that the presumption is not great; that the petitioner is able to give good and sufficient bail for his appearance at the next Court of Oyer and Terminer of said County, to answer the said charges and any